e-filed

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

Misc.Appeal No. 575 OF 2002

(Memorandum of Misc.Appeal U/s 173 of M.V.Act)

APPELLANT
CLAIMANT : Smt. Basanti Bai Wd/o Late Brij Lal aged 50 years, R/o Village Muggahan Tahsil Balod, District Durg (CG) Present House Jodhapara Ward Dhamtari (CG).

Versus

RESPONDENTS
NON-APPLICANTS :

1. S. Sanyasi Rao S/o S.Simanchalam aged 44 years, r/o D.N.75-4-1 V.D.Puram Vijayward (Andhra Pradesh).

2. Shri Vaikiti Venkateshwar Rao S/o Shri Kasatan R/o Door No. 1-3,18-15 Vidhyadnapuram Vijaywada (Andhra Pradesh).

3. New India Insurance Company Limited, Project Automobiles Ke Samne Bhilai, District Durg.

P.R. No. 1562/02
Presented by Shri ... Advocate
dated 19.12.02

MEMORANDUM OF MISC.APPEAL UNDER SECTION 173 OF MOTOR VEHICLES ACT

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 575 OF 2002

Appellant : Smt. Basanti Bai

Versus

Respondents: S. Sanyasi Rao and others

(Arising out of Claim Case No. 105/2001)

02-01-2007

Shri K.R. Nair, counsel for the appellant.

None for respondents No. 1 and 2.

Shri. K.L. Daswani, Divisional Manager, the New India Assurance Company Ltd. with Shri Deepak Gupta counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.35,000/- (Rupees Thirty-five Thousand Only) to the appellant.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs. 350/- (Rupees Three hundred fifty only) shall be paid to counsel for the appellant directly by respondent No.3 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
Justice Vijay Kumar Shrivastava
High Court of Chhattisgarh
Bilaspur

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

raju